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C O N F I D E N T I A L SECTION 01 OF 02 KYIV 001064

SIPDIS

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TAGS: PGOV PREL PINR UP
SUBJECT: UKRAINE: YUSHCHENKO POISONING REVISITED

REF: KYIV 01052

Classified By: Ambassador for reasons 1.4(b,d).

¶1. (C) Summary. In the heat of a spat between President Yushchenko's team and former financial and political backer David Zhvaniya, the issue of Yushchenko's poisoning in September 2004 has once again become subject of political accusations. After the Presidential Secretariat initiated a case to try to strip Zhvaniya of his Ukrainian citizenship (reftel), the former "dear friend" hurled accusations at Yushchenko, including that Our Ukraine fabricated the poisoning to gain the then presidential candidate sympathy points. Yushchenko met with Prosecutor General Medvedko on June 2, with Medvedko ridiculing Zhvaniya's claim that there was no poisoning, according to the President's press service. Our Ukraine MPs have come forward to dismiss Zhvaniya's credibility and claims, while Regions MPs have jumped on the bandwagon, suggesting that the issue should be looked into.

¶2. (C) Comment. There is little doubt that Yushchenko was poisoned, but he has seemed reluctant to allow charges to be brought about, presumably because of the politically explosive nature of the accusations. His dioxin levels have been publicly and privately commented on by doctors from several countries. Zhvaniya's accusations are aimed at a leader and party he may feel betrayed him -- he also accused Yushchenko's wife and children of being U.S. citizens, which is against Ukrainian law. Regions probably sees this as an opportunity to sow dissension within the ruling coalition and to add one more distraction to the President's plate, which in turn they may hope will strengthen their hand in negotiations on a new coalition. In the end, the poisoning issue is likely to die down quickly until the Prosecutor General's Office (PGO) names a suspect. End summary and comment.

Zhvaniya Goes on the Offensive

¶3. (SBU) PSD MP David Zhvaniya, godfather of Yushchenko's youngest son and once one of his closest advisors, told the press on May 31 that the President was not poisoned in September 2004, but that his political team had decided to create the story to generate support for the then presidential candidate. He claimed that he had spoken out against the plan at the time, but the campaign team had overruled him. Zhvaniya added that it was illogical to say the security services were behind the plot, because if they had been they would have done a more professional job. (Note. Many believe, and Yushchenko has indicated, that the poisoning took place at a dinner at the summer home of the then Deputy Head of the SBU. End note.)

¶4. (SBU) The President and the Secretariat have not directly addressed this latest Zhvaniya accusation, but Prosecutor General Medvedko and OU MPs have criticized Zhvaniya's remarks. Medvedko met with Yushchenko on June 2 on a range of issues, where he dismissed Zhvaniya's claims as

ridiculous. He said that there was expert testimony and analysis that showed Yushchenko had been poisoned. He also said that Zhvaniya had been called as a witness in the case, but had refused on several occasions to come to the PGO and provide testimony. (Note. Zhvaniya was at the dinner where Yushchenko was probably poisoned and some media reported that Zhvaniya had insisted Yushchenko attend despite the unusual location and the late hour at which it took place, which has been used to cast questions on Zhvaniya's role in the poisoning. End note.) OU MP Tretyakov told the press that Zhvaniya's claims were irresponsible and amoral and he said that Zhvaniya had not been present at any of Yushchenko's medical examinations, so he had nothing to base his claims on. OU MP Zvarych also said publicly that Zhvaniya's accusation was illogical and driven by motives he would not speculate on.

15. (C) Regions MPs have sought to keep the story going. Volodymyr Sivkovych, who chaired the Rada's ad hoc committee in 2004 that investigated the poisoning, said that Zhvaniya was a well-informed source of what went on in the Yushchenko camp in 2004, but that he wouldn't comment on the accuracy of Zhvaniya's statements until the PGO made an announcement on findings in the case. Hanna Herman told the press that Regions wanted the Rada's Rules Committee, which handles MP ethics issues, to look into Zhvaniya's claims. (Comment. No one is backing Zhvaniya's claims, but it may be in Regions' interest to keep the conflict going and the coalition distracted and disunified. End comment.)

16. (U) Visit Embassy Kyiv's classified website:
www.state.sgov.gov/p/eur/kiev.

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